

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

GUCCI AMERICA, INC.,

Plaintiff,

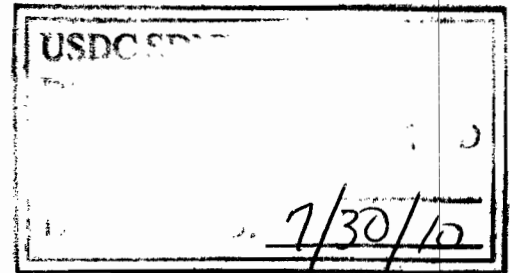
-against-

GUESS?, INC., MARC FISHER FOOTWEAR  
LLC, THE MAX LEATHER GROUP/CIPRIANI  
ACCESSORIES, INC., SEQUEL AG, K&M  
ASSOCIATES L.P., VIVA OPTIQUE, INC.,  
SIGNAL PRODUCTS, INC. and SWANK, INC.,

Defendants.

Civil Action No. 09cv4373 (SAS)  
(ECF Matter)

**STIPULATION AND [PROPOSED]  
ORDER**



WHEREAS, the Court issued a Scheduling Order in accordance with Fed. R. Civ.

P. 16(b) on July 10, 2009;

WHEREAS, the Court entered an order modifying the July 10, 2009 Scheduling  
Order on October 14, 2009;

WHEREAS, during a March 2, 2010 conference before the Court, the Court  
orally extended fact discovery through June 5, 2010;

WHEREAS, the Court entered an order modifying the March 2, 2010 Scheduling  
Order on May 7, 2010 extending fact discovery through August 6, 2010;

WHEREAS there are currently issues pending before the Court concerning  
Plaintiff's assertion of attorney-client privilege and the work product doctrine, and the final  
resolution of these issues is necessary prior to the deposition of certain witnesses;

WHEREAS, Plaintiff's and Defendants' document searches and productions  
pursuant to various orders of the Court are ongoing, and such productions need to be completed  
before the depositions of certain witnesses;

WHEREAS, in light of the additional discovery outstanding, Guess, upon good cause shown, has requested that the Court grant a three-month extension of all remaining dates set forth in the Court's Scheduling Order; and

WHEREAS plaintiff Gucci America, Inc., and co-defendants Marc Fisher Footwear, The Max Leather Group/Cipriani Accessories, Inc., Signal Products, Inc. and Swank, Inc. consent to Guess's request.

NOW, THEREFORE, GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Scheduling Order is modified as follows:

1. All fact discovery is to be completed by ~~Friday November 5, 2010;~~ *Tuesday October 5, 2010*;
2. The parties are to serve all initial expert reports, if any by Monday, ~~December 20, 2010;~~ *November 22, 2010*;
3. The parties are to serve all rebuttal expert reports, if any by ~~Friday,~~ *Tuesday* ~~January 14, 2011;~~ *December 14, 2010*;
4. All expert depositions, if any are to be completed by ~~Friday, February 11, 2011;~~ *Tuesday, January 11, 2011*;
5. Plaintiff will supply its pre-trial order matters to defendants by Friday, ~~March 4, 2011;~~ *February 4, 2011*;
6. The parties will submit a pre-trial order in a form conforming with the Court's instructions together with trial briefs and proposed findings of fact and conclusions of law by Friday, ~~March 18, 2011.~~ *February 18, 2011*.

7. The final pre-trial conference pursuant to Fed. R. Civ. P. 16(d) will be held on October 21, 2010 at 4<sup>30</sup> pm

SO ORDERED:

July 30, 2010  
New York, NY



Hon. Shira A. Scheindlin  
United States District Judge